

## **PLANNING COMMISSION MINUTES**

**January 2, 2007**

**7:00 P.M.**

Present: Vice-Chairman Tom Smith, Kirt Peterson, Michael Allen, Ray Keller, City Council Representative Barbara Holt, City Attorney Russell Mahan, City Engineer Paul Rowland, Planning Director Aric Jensen, Recording Secretary Connie Feil. City Councilman Fred Moss, was also present.

Absent: Chairman Clark Jenkins and Mark Green.

Tom Smith welcomed all those present and had all Planning Commission Members introduce themselves.

Kirt Peterson made a motion to approve the minutes for December 5, 2006 as written. Barbara Holt seconded the motion and voting was unanimous in favor.

### **1. Consider preliminary commercial site plan approval for Timber Mill Cabinets located at 466 W. 1000 N., Brad Hutchings, applicant.**

Brad Hutchings, applicant, and Dave Badham, contractor, were present. Aric Jensen explained that Brad Hutchings is requesting preliminary site plan approval for modifications to an existing commercial development located in the Heavy Commercial (C-H) zone. The site is approximately 1.1 acres in size and is wedged between 1000 North and the on-ramp to I-15 Northbound. The third side backs onto a single family neighborhood. There are two existing buildings on the site; a 5400 square foot block of storage units, and a 6400 square foot furniture/upholstery repair building.

Access to the subject property is through a portion of the 1000 North right-of-way that was closed when the on-ramp to I-15 was constructed in the '60's. This property has never been officially abandoned by the City, but has been used exclusively by the adjacent property owners whose only vehicular access is through this parcel of land. The property would be completely landlocked if it weren't for this section of R.O.W. The applicant would like to acquire this land from the City to further enhance this property and to give it true frontage onto 1000 North.

Part of the proposed site plan includes a property line adjustment with Lot 2 of the Bay View Park Plat B subdivision, which will need to be approved by the Administrative Committee. The boundary between the two properties is extremely irregular and deviates substantially from the original subdivision boundary. This is a result of a compromise between the owner of Lot 2 and the City. The owner of Lot 2, who at the time also owned the subject property, illegally converted the existing single-family home into a 4-plex. The City required that a section of the subject property be carved off and added to Lot 2 so that it met the minimum size requirement for a 4-plex under the ordinances in place at that time. The resulting lot line adjustment was

gerrymandered to avoid existing site improvements on the subject property and yet still meet the minimum size requirement for a 4-plex on Lot 2. The applicant would like to remove the existing structure, rebuild a new structure in approximately the same location, and square-off the property lines.

The proposed site plan shows three structures. Building #1 is in the same location as the existing furniture/upholstery building. It would be located 23 feet from the existing single family subdivision boundary, with the exception of Lot 2, whose boundary was adjusted as previously discussed. The minimum setback for a commercial building adjacent to a residential property is 20 feet, with the exception that a setback may be reduced if the land use authority determines that a landscaping buffer is not required and the public interest is better served by not having the setback. The City has already determined that a setback against Lot 2 is not necessary when it permitted the previous lot line adjustment to be immediately adjacent to the existing building. However, the Planning Commission could require a 20-foot setback now because the applicant is proposing to reconstruct the building. Staff feels that the applicant should be allowed to reconstruct in the existing location. This is the most logical location for a building based on the narrow, irregular shape of the property, which is why it was built there in the first place. This location will result in a better and more efficient building design and will not change the status quo of the area.

Building #2 is an existing bank of storage units abutting I-15. The applicant is proposing to use the first 4 or 5 units as part of his business and to rent out the remaining units to other contractors. This allows for additional parking to be located in front of the area that was previously storage units.

Building #3 is a proposed future building that would be built in the vacant storage yard on the north end of the site. The applicant has not submitted drawings for this building at this time, however, he is requesting a reduced rear yard setback similar to Building #2. Since this building backs up to I-15, staff sees no reason for a landscape buffer to the rear of this building.

The site is in a low area and will drain to a new detention basin at the north end of property. From there it flows into the existing drainage ditch on the east side of I-15. No storm water impact fee will be required because of the detention basin, however, the project engineer needs to submit engineering calculations for the basin and orifice, before final approval.

Finished floor elevations and building plans showing doors, including for the future building, are needed before the final grading and drainage review can be completed. The electricity, gas and phone are already available to site. Additional building details are also needed before a final review of those utilities.

An 8" fire hydrant line is shown to the middle of the project with a hydrant shown between the existing storage sheds and the new Building #3. The applicant needs to review the location of the hydrant with the fire department. A better location may be in the existing landscape island

right next to the entrance.

The sewer is already extended to Building #1 and will need to be extended to Building #3 and possibly Building #2 if changes in the building include the installation of plumbing.

The applicant is requesting that the stub end of 1000 North be deeded to him so that he will have proper frontage and enough places for parking. This portion of the road has only been used for access to this property and the 5<sup>th</sup> Amendment since the I-15 improvements were installed in the early '60's. Because of the need to maintain a utility right of way across to the property, a public utility easement will need to be granted across the entire parcel. This parcel provides the only access to the very limited parking at the 5<sup>th</sup> Amendment, and so if the City deeds this property to Mr. Hutchings, there will need to be a cross access and maintenance agreement between Mr. Hutchings and the owner of the 5<sup>th</sup> Amendment.

The site as proposed shows 15% landscaping, which is the minimum required in this zone. However, this will go up to about 16% because the landscape buffer against the residential properties will need to be increased to the minimum 10', and there needs to be a 5' landscape buffer around the parking area shown in the unused R.O.W. area. The applicant also needs to submit a complete landscaping plan showing tree and shrub planting details.

The total parking requirement is 19 spaces, and 19 spaces are shown on the proposed plan. Only 13 spaces are needed until the construction of future Building #3. Seven of the proposed spaces are located within the unused R.O.W. These spaces cannot be included in the onsite parking count until the City officially abandons the R.O.W., however, they can be used unofficially for parking since on street parking is permitted and this ground is technically still a street.

Water fees will depend on the size and number of culinary hookups and the location of the fire hydrant. The storm water impact fee will be waived when detention is provided. Building fees will be assessed with the building permits.

Brad Hutchings explained that he would like to have the water and sewer lines brought over to his storage units for future use. Mr. Hutchings intends to occupy four of the units for his own business and in the future convert the storage units to small businesses to compliment his own business. The easement released to him would benefit his parking as well as the 5<sup>th</sup> Amendment, and the third building would also be used for his own business.

There was discussion amongst the Commission members regarding the future use of the storage buildings and the impact on parking. If the applicant ever chooses to finish all or some of the storage units and convert them to an office or retail use, he will have to apply for amended site plan approval and provide additional parking at that time.

The Planning Commission and Staff discussed the possibility of abandoning this unused section of R.O.W. and deeding it to the adjoining property owners. The Planning Commission felt that

this parcel had no future potential as a street because it stubs into the I-15 on-ramp and UDOT will not allow access. The Commission's recommendation was to abandon the unused portion of the R.O.W., which would require a separate action and public hearing at the City Council level.

Paul Rowland reviewed the conditions for granting this preliminary site plan approval which are as follows:

1. Vacation of the right-of-way.
2. Completion of all redlined shown on the plans.
3. Deed over the unused portion of the 1000 North right-of-way.

Kirt Peterson made a motion to send a recommendation to the City Council for preliminary site plan approval for Timber Mill Cabinets located at 466 W. 1000 N. subject to the conditions outlined by Staff. Barbara Holt seconded the motion and voting was unanimous in favor.

**2. Consider preliminary site plan approval for a 4-unit condominium located at 161 W. 1000 N., Katie Eckman, applicant.**

Katie Eckman, applicant, was not present. Aric Jensen explained that Katie Eckman is requesting preliminary site plan approval for a multi-family development located in the RM-13 zone. The site is approximately one-half acre in size and is adjacent to, and essentially part of, an existing development consisting of 2 duplexes facing a common, private drive. The RM-13 zone allows a maximum density of 9 units per acre on sites less than 1 acre in size, so this site is entitled to a maximum of 5 units. The proposed project would essentially bring the existing duplex development to a logical terminus.

There was a discussion with regards to the parking and the width of the driveways with this proposal and the existing duplexes.

Mr. Jensen suggested tabling this item for the next meeting (January 16, 2007) so the applicant could be present.

Barbara Holt made a motion to table this item for the next Planning Commission meeting. Michael Allen seconded the motion and voting was unanimous in favor.

**3. Remanded from City Council - Title 14 Text Amendments; Sign Illumination Standards, Town House Drive Access Standards, Mixed-Use Zone Covered Parking Standards.**

Aric Jensen explained that on December 12, 2006 the City Council reviewed the proposed changes that were recommended by the Planning Commission in regards to the portion dealing with electric signs. The City Council asked the Planning Commission for additional review and comments on their decision.

There was a lengthy discussion between the Planning Commission and Staff with regards to the “vision” for the commercial areas of Bountiful City. The discussion included the difference between electronic reader boards and message centers, static messages versus moving/scrolling/flashing messages, the visual impact of sign spacing and existing business development patterns, the difference between color and monochromatic images, and the difference between properties in the CG zone along 500 South and those on 200 West, Orchard Dr., and in other areas of the City.

Tom Smith mentioned that he wanted Bountiful to look better than the other communities, and that the game of “sign one- upmanship” has to stop somewhere, and he’d rather that it stop at this level.

The Commission’s decision was to leave the previous recommendation unchanged.

Barbara Holt made a motion to the City Council that the Planning Commission stands by their previous recommendation with no changes. Ray Keller seconded the motion and voting was unanimous in favor.

Meeting adjourned at 8:40 P.M.